



Senate

General Assembly

File No. 587

February Session, 2008

Substitute Senate Bill No. 156

Senate, April 14, 2008

The Committee on Appropriations reported through SEN. HARP of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING A NURSING HOME REPORT CARD.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective April 1, 2009*) (a) The Department of
2 Public Health shall develop a nursing home report card for consumers
3 to compare the quality of all nursing home facilities, as defined in
4 section 19a-521 of the general statutes, in the state. The department
5 shall make the information in the report card available on the Internet
6 and shall maintain a toll-free telephone number to provide the same
7 information to consumers who do not have access to the Internet. The
8 nursing home report card shall allow consumers the choice to search
9 for information on any nursing home facility in the state by name, or
10 by area of the state by zip code.

11 (b) The nursing home report card shall score each nursing home
12 facility in the state from one, the lowest, to five, the highest, based
13 upon the following quality measures: (1) Resident quality-of-life
14 ratings, which shall be based on interviews of nursing home residents;
15 (2) quality indicators, which shall be based on the federally mandated

16 minimum data set assessments required for every resident of a
 17 Medicare or Medicaid-certified nursing home facility; (3) hours of
 18 direct care; (4) staff retention; (5) temporary staffing agency use; (6)
 19 proportion of single rooms; and (7) state inspection results. The
 20 nursing home report card shall be designed to permit consumers to
 21 choose three of such quality measures that are the most important to
 22 them and provide rankings of the facilities based on such measures
 23 within the chosen area of the state and to allow the consumer to see
 24 information on all the quality measures or information about a
 25 particular nursing home facility.

This act shall take effect as follows and shall amend the following sections:		
Section 1	April 1, 2009	New section

AGE	<i>Joint Favorable C/R</i>	PH
PH	<i>Joint Favorable C/R</i>	APP
APP	<i>Joint Favorable Subst.</i>	

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 09 \$	FY 10 \$
Public Health, Dept.	GF - Implements the Budget	250,000	up to 1.48 million
Comptroller Misc. Accounts (Fringe Benefits) ¹	GF - Implements the Budget	21,600	up to 514,500

Note: GF=General Fund

Municipal Impact: None

Explanation

Funding, in the amount of \$250,000, has been included under the budget of the Department of Public Health (DPH) within sHB 5021 (the Revised FY 09 Appropriations Act, as favorably reported by the Appropriations Committee) to support one-quarter year costs of implementing a nursing home report card, effective 4/1/09. It is anticipated that these resources would allow the department to begin to enhance its staffing to collect data that would subsequently be made available via the Internet and a toll-free hotline.

On an annualized basis, ongoing DPH costs of up to \$1.48 million would be expected. Costs by function are shown below.

Function	Positions	Amount
Telephone Hotline	1	\$ 56,450

¹ The fringe benefit costs for state employees are budgeted centrally in the Miscellaneous Accounts administered by the Comptroller. The first year fringe benefit costs for new positions do not include pension costs. The estimated first year fringe benefit rate as a percentage of payroll is 25.36%. The state's pension contribution is based upon the prior year's certification by the actuary for the State Employees Retirement System (SERS). The SERS fringe benefit rate is 33.27%, which when combined with the rate for non-pension fringe benefits totals 58.63%.

Data Collection & Management	9	\$ 560,137
Patient Interviews (Quality of Life)	15	\$ 863,243
Total	25	\$ 1,479,830

The above cost of conducting patient interviews assumes that all patients capable of participating are interviewed for purposes of developing quality-of-life ratings. To the extent that fewer patients are surveyed, lesser costs would be incurred.

The Office of the State Comptroller would also incur fringe benefits costs (\$21,600 FY 09–reflected in sHB 5021; up to \$514,500 FY 10).

The Out Years

The annualized ongoing DPH fiscal impact identified above would continue into the future subject to inflation. An additional fringe benefits cost of up to approximately \$250,000 would result in FY 11 to reflect annualized costs associated with staff hired during FY 10.

OLR Bill Analysis**sSB 156*****AN ACT CONCERNING A NURSING HOME REPORT CARD.*****SUMMARY:**

This bill requires the Department of Public Health (DPH) to develop a nursing home report card that allows individuals to compare the quality of nursing home facilities in the state. DPH must provide access to the report card through the internet and by maintaining a toll-free telephone number.

Under the bill, the report card must allow an individual to view information on all the quality measures about a specific facility. They must be able to search for information on any nursing home facility in the state by name or zip code. The report card must also enable individuals to rank facilities in a specific area of the state on three quality measures of their choosing.

EFFECTIVE DATE: April 1, 2009

REPORT CARD COMPONENTS

The bill requires the report card to score each nursing home on a scale from a minimum of one to a maximum of five on the following quality measures:

1. resident quality-of-life ratings based on interviews of nursing home residents,
2. quality indicators based on federal Minimum Data Set (MDS) assessments required under federal law for residents of Medicare or Medicaid certified nursing homes,
3. hours of direct care,

4. staff retention,
5. use of temporary staffing agencies,
6. proportion of single rooms, and
7. state inspection results.

DEFINITIONS

The bill applies to “nursing home facilities” defined as (1) any nursing home, residential care home, or rest home that, in addition to personal care required in a residential care home, provides nursing supervision under a medical director 24 hours per day or (2) any chronic and convalescent nursing home that provides skilled nursing care under medical supervision and direction to carry out nonsurgical treatment and dietary procedures for chronic diseases, convalescent stages, acute diseases, or injuries (CGS § 19a-521).

Although residential care homes are included in the definition of nursing home facilities, they do not provide nursing care. Thus, it appears that the bill does not apply to these facilities.

BACKGROUND

CMS Report Card

In 2002, the federal Centers for Medicare and Medicaid Services (CMS) began publishing “Nursing Home Compare,” a national, online nursing home report card. It provides information on every Medicare and Medicaid certified nursing home in each state including inspection results, hours of direct care, and 19 quality measures for short-and long-term residents.

Nursing Home Information Available Through DPH

Current law requires DPH to publish an annual report available to the public that provides basic information on nursing homes in the state. DPH provides an online directory of licensed nursing home facilities that includes contact and ownership information, the number of beds, the cost for private, pay patients, whether the home accepts

Medicare or Medicaid patients and any citations issued in the prior year. DPH also posts quarterly regulatory action reports on its website that list fines and other disciplinary actions taken against health care facilities, including nursing homes (CGS § 19a-538).

COMMITTEE ACTION

Select Committee on Aging

Joint Favorable Change of Reference

Yea 11 Nay 0 (03/04/2008)

Public Health Committee

Joint Favorable Change of Reference

Yea 28 Nay 0 (03/14/2008)

Appropriations Committee

Joint Favorable Substitute

Yea 54 Nay 0 (03/28/2008)